

REMARKS

Status of the Claims

The Final Office Action mailed March 4, 2009 noted that claims 1, 4, 7, 9, and 12-17 were pending and rejected all claims. Claims 1, 7, 9, 13, 14, 16, and 17 are amended. No claims are cancelled. No new claims are added. No new matter is believed to be presented.

Claims 1, 4, 7, 9, and 12-17 are pending and under consideration. Reconsideration is respectfully requested. The Applicant thanks the Examiner for the Personal Interview of May 21, 2009 and incorporates the substance of the Interview into this Response.

The rejections are respectfully traversed below.

Rejections under 35 U.S.C. § 101

The Office Action, on page 3, in item 5, rejected claims 1, 4, 13-14, and 16-17 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1, 13-14, and 16-17 are amended based on the suggestions provided during the Interview and withdrawal of the rejection is respectfully requested. If any issues remain, the Examiner is requested to telephone the undersigned.

Rejections under 35 U.S.C. § 103

The Office Action, on page 4, in item 7, rejected claims 1, 4, 7, 9, and 12-17 under 35 U.S.C. § 103(a) as being unpatentable over Moreno (U.S. Patent Application Publication Number 2002/0035515) in view of Sakai et al. (U.S. Patent Number 7,174,307). This rejection is respectfully traversed below.

During the Interview, the Examiner appeared to appreciate the distinguishing features of the claims, but requested clarification of the independent claims to more clearly recite that the request is sent from the deliverer to the recipient. For example, claim 1 is amended to recite "receiving, at the delivery goods management apparatus, **a request sent from the deliverer terminal to the user terminal to confirm reception of delivery goods entered by the deliverer** through the deliverer terminal while the recipient of the delivery goods from the location is absent, wherein the request includes a message to confirm as to whether the recipient approves or rejects delivery of the goods by the deliverer to the location." It is respectfully submitted that Moreno and Sakai, taken alone and in combination, do not teach these features, in particular, sending a request from the deliverer to the recipient. As discussed

during the Interview, Moreno in paragraphs [0064]-[0065] merely discusses that:

[[T]]he carrier appropriately provides the designated tracking code, access code, or other required verifications (Block 418). The storage unit then communicates such code to the service provider server or customer service personnel (for example, a verbal verification) (Block 420), whereupon a comparison is conducted with the authorized code (Block 422). If the comparison fails, the carrier is suitably requested to reenter the code/verification (Block 423)... When the code/verification input by the carrier is correct, the process continues with the locker being unlocked, and the carrier delivering or picking-up the desired goods and closing the locker.

In other words, the carrier does not send any request to confirm delivery to the customer, but merely enters a code to open a locker and thus Moreno does not teach this feature. Additionally, nothing cited or found in Sakai teaches this feature. Thus claim 1 patentably distinguishes over Moreno and Sakai, taken alone and in combination.

Furthermore, nothing cited or found in Moreno and Sakai, taken alone and in combination, teaches "notifying the deliverer to not deliver the goods while the recipient is absent when the result of the reception/refusal information indicates a refusal of the delivery of the goods by the recipient," recited in claim 1. In particular, Moreno and Sakai do not teach notifying the deliverer to not deliver the goods while the recipient is absent. The Office Action on page 11, specifically notes that "[t]he actual Saki disclosure does not explain what happens when a receiver is absent. However it is beside the point because Moreno was, and continues to be, used to teach delivery of goods when a receiver is absent the location of delivery." Consequently, Moreno and Sakai, taken alone and combination do not teach the above feature.

Independent claim 7 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "a storage which stores recipient information corresponding to information related to a request to confirm reception of delivery goods, which includes a message sent from the deliverer terminal to the user terminal to confirm as to whether the recipient approves or rejects delivery of the goods by the deliverer to the location" and "notifying the deliverer to not deliver the goods while the recipient is absent when the result of the reception approval/refusal information indicates a refusal of the goods by the recipient."

Independent claim 9 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "a request to confirm reception of delivery goods at the location associated with the recipient sent by the deliverer through the delivery terminal to the recipient when the recipient of the delivery goods is absent from the location,

wherein the request includes a message to confirm as to whether the recipient approves or rejects delivery of the goods by the deliverer to the location" and "notifying the deliverer to not deliver the goods while the recipient is absent when the result of the reception approval/refusal information indicates a refusal of the delivery of the goods by the recipient."

Independent claim 13 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "a request to confirm reception of delivery goods entered by the deliverer through the delivery terminal and sent from the deliverer to the recipient when the recipient of the delivery goods from the location is absent" and "notifying the deliverer to not deliver the goods while the recipient is absent when the result of the reception approval/refusal information indicates a refusal of the goods by the recipient."

Independent claim 14 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "a request sent from the deliverer to the recipient to confirm reception of delivery goods entered by the deliverer through the delivery terminal when the recipient of the delivery goods from the location is absent" and "notifying the deliverer to not deliver the goods while the recipient is absent when the result of the reception approval/refusal information indicates a refusal of the delivery of the goods by the recipient."

Independent claim 16 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "a request sent from the deliverer to the recipient as to whether the recipient approves or rejects delivery of goods to be delivered by the deliverer" and "the goods are not delivered to the delivery location by the deliverer based on a negative response while the recipient is unavailable."

Independent claim 17 patentably distinguishes over Moreno and Sakai, taken alone and in combination, because nothing cited or found teaches "transmitting using the processor, a request from a deliverer to a potential recipient who is not present at a location of a good to be delivered" and "not delivering, by the deliverer, of the good for the potential recipient when the potential recipient is not present at the location if the potential recipient transmits using the processor, a negative response in return to the request."

The dependent claims depend from the above-discussed independent claims and are patentable over the cited references for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the cited references. For example, claim 4 recites "storing information for a client corresponding to the delivery goods information in said storage, and extracting the delivery goods information and client information relevant to the delivery goods identification information from said storage." In particular, the cited references do

not teach storing information for a **client** corresponding to the delivery goods information. It is to be noted that a client is not the same as a recipient. It is submitted that the dependent claims are independently patentable over the cited references.

Withdrawal of the rejection is respectfully requested.

Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

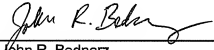
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 6-4-09

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